

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 105176SYCCBa		FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/FR2004/002091	International filing date (day/month/year) 05.08.2004	Priority date (day/month/year) 12.08.2003	
International Patent Classification (IPC) or national classification and IPC H04Q7/28			
Applicant ALCATEL			

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>7</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>	
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input checked="" type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>	

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-18 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 1-29 _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* _____ received by this Authority on _____
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/2-2/2 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims		YES
	Claims	1-29	NO
Inventive step (IS)	Claims		YES
	Claims	1-29	NO
Industrial applicability (IA)	Claims	1-29	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
1. Reference is made to the following documents:			
D1: US-B1-6 463 470 (RAMBERG YORAM ET AL) 8 October 2002 (2002-10-08)			
D2: US-B1-6 366 577 (DONOVAN STEVEN R) 2 April 2002 (2002-04-02)			
D3: WO 03/012670 A (ALCATEL INTERNETWORKING INC) 13 February 2003 (2003-02-13)			
2. The present application does not meet the requirements of PCT Article 33(1) because the subject matter of claims 1-29 does not comply with the criterion of novelty as defined by PCT Article 33(2).			
2.1. Document D1 describes (references between parentheses apply to said document): "A method for providing service in a communications network (column 1, lines 20-24) comprising resources suitable for providing an attributed network function (column 7, line 62 - column 8, line 3), defined by policy rules (column			

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Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1, lines 20-24), characterised in that it comprises, upon receiving a service request, the steps of selecting a resource providing a network function corresponding to the requested service (column 16, lines 14-21) from a number of network resources that are not yet associated with a processing function for the requested service (column 16, lines 22-30), of associating said selected resource with a processing function for the requested service (column 16, lines 38-40), and of determining, from a set of policy rules, each policy rule that defines the network function associated with said processing function in order to transmit said rule to said selected resource in order to implement same (column 16, lines 31-40; column 11, lines 1-36)."

Therefore, the subject matter of claim 1 is not novel (PCT Article 33(1) and (2)).

2.2. Moreover, the subject matter of claim 1 is also known from documents D2 and D4. Therefore, the subject matter of claim 1 is not novel (PCT Article 33(1) and (2)).

2.3. The subject matter of independent claim 14, which relates to the system for carrying out the method of claim 1, is also known from document D1. Therefore, the subject matter of said claim is not novel (PCT Article 33(1) and (2)).

2.4. The subject matter of independent claim 28, which

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Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

relates to the server implementing the method of claim 1, is also known from document D1.
Therefore, the subject matter of said claim is not novel (PCT Article 33(1) and (2)).

2.5. The subject matter of independent claim 29, which relates to the method of claim 1, is also known from document D1. Therefore, the subject matter of said claim is not novel (PCT Article 33(1) and (2)).

2.6. Moreover, even if the applicant interpreted claims 1, 14, 28 and 29 in such a way that it could be asserted that the subject matter of the application is novel on the basis of minor differences with that of document D1, it nevertheless remains that the subject matter of claim 1 does not involve an inventive step (PCT Article 33(3)) in the light of document D1, which discloses the same subject matter and describes the same type of solution as the present application.

2.7. The additional features of dependent claims 2-13 and 15-27 are also disclosed by document D1 :

- claims 2, 6, 7, 12, 24, 26, 27: column 16, lines 14-21, 58-67;
- claims 3, 4, 15-18: column 16, lines 22-40;
- claims 5, 8-11 : column 17, lines 5-16;
- claims 13,25: column 17, lines 1-4;

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	<p data-bbox="415 378 1365 604">- claim 19: column 8, line 63 - column 9, line 8; - claim 20: column 8, line 63 - column 9, line 8; column 16, lines 14-21, 58-67; - claims 21-23: column 8, line 63 - column 9, line 8; column 17, lines 5-16;</p> <p data-bbox="415 674 1328 751">Therefore, the subject matter of claims 2-13 and 15-27 is not novel (PCT Article 33(1) and (2)).</p>

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Box No. VI Certain documents cited

1. Certain published documents (Rule 70.10)

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
US 2004/039803	26.02.2004	21.08.2002	21.08.2002
US 2004/064575	01.04.2004	27.09.2002	27.09.2002

2. Non-written disclosures (Rule 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)
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